

REMARKS

This is in response to the Office Action mailed March 21, 2003. In the Office Action, claims 1-80 were cited as being subject to a restriction requirement. Reexamination and reconsideration of this case is respectfully requested in view of the amendments made herein and the following remarks.

Claims 26-49 have been canceled without prejudice. Otherwise, no claim has been amended or added by this response. Accordingly, claims 1-25 and 50-80 remain at issue in the patent application. Of those remaining at issue, claims 1, 50, 59, and 71 are independent claims.

Applicant believes that no new matter has been added by this response.

I) Applicant's Interview Summary

A telephonic interview was held on or around March 27, 2003 between Examiner Tina Lin and Applicant's Attorney, William E. Alford, regarding the above referenced patent application and the Office Action mailed on March 21, 2003.

The Office Action Summary was discussed because box number 10 was checked and no reason was stated within the detailed action as to why the drawings were objected.

Examiner Lin indicated that the box being checked was a mistake at this time and that it can be ignored at this time. However, Examiner Lin indicated that a drawing objection may be raised at a later date with a detailed explanation at that time.

No claim was discussed during the examiner interview. No agreement was reached with respect to any claim amendments nor were any claim amendments specifically discussed. No exhibit was shown nor was any demonstration conducted.

II) RESTRICTION REQUIREMENT

On page 2 of the Office Action, claims 1-80 were made subject to a restriction requirement under 35 U.S.C. § 121.

Claims 1-25 and 50-80 were restricted to group 1 as being drawn to a fiber optic module with a pull-actuator and method of making, classified in class 385, subclass 53;

Claims 26-35, were restricted to group 2 as being drawn to a pull actuator for fiber optic modules, classified in class 385, subclass 134;

Claims 36-40, were restricted to group 3 as being drawn to a pivot arm actuator for fiber optic modules, classified in class 385, subclass 134; and

Claims 41-49, were restricted to group 4 as being drawn to a pull de-latching mechanism for fiber optic modules, classified in class 385, subclass 134.

In response to the restriction requirement in the present Office Action, Applicant hereby elects to go forward with group 1 claims consisting of claims 1-25 and 50-80 without traverse.

Accordingly, Applicant has cancelled claims 26-49 in groups 2, 3, and 4 without prejudice, in order to comply with the restriction requirement. Claims 26-49 have been cancelled for reasons unrelated to patentability.

III) DRAWING OBJECTIONS

As discussed previously, a drawing objection was indicated by the Office Action Summary. Applicant's Attorney called the Examiner regarding the details of the objection. The Examiner indicated that the check box can be ignored at this time.

Applicant notes that substitute drawings have been provided in order to meet the margin requirements for the purpose of

publication and that they remain informal for the purpose of issuance, if a Notice of Allowance is mailed.

Objections made by an Official Draftsperson under 37 CFR 1.84 are to formalities of the drawings. That is, the drawings are informal.

"Informal drawing: A drawing which does not comply with the form requirements of 37 CFR 1.84. Drawings may be informal because they are not on the proper size sheets, the quality of the lines is poor, or for other reasons such as the size of reference elements. Informal drawings could be acceptable for the purposes of publication and examination. **An objection will generally only be made to an informal drawing if the Office is unable to reproduce the drawing or the contents of the drawing are unacceptable to the examiner.**" (emphasis added) [See MPEP § 608.02, Original 8th edition, August 2001, Page 600-91].

The USPTO has been able to reproduce the drawings as the patent application was published on 10/17/2002 as Publication No. US-2002-0150344-A1.

The requirements for formal drawings should not be made final until a Notice of Allowance. "The Examiner will require submission of new, corrected drawings when necessary". [Form PTO 948, "Notice of Draftsperson's Patent Drawing Review", lines 6-7] Formal drawings are not necessary at this time as a Notice of Allowance has yet to be mailed.

As outlined in Section 1, "Correction of Informalities", of the Attachment for PTO-948 (Rev. 03/01, or earlier) 6/18/01, "Information on How to Effect Drawing Changes", "new drawings MUST be filed within the THREE MONTH shortened statutory period set for reply in the Notice of Allowability". The "Timing of Corrections" under the Section 2 heading is for "Corrections other than Informalities Noted by Draftsperson on form PTO-948".

That is, objections to the content of the drawings raised by a Patent Examiner, as opposed to objections to form, are required to be corrected by drawing corrections within the time period set in the attached Office communication. In contrast, informal drawings that require only correction as to form and not content, formal drawings should only be necessary upon a Notice of Allowance. This is particularly so if the drawings have previously been published.

IV) TITLE AMENDMENT

Applicant has amended the TITLE of the patent application to be more in accordance with the elected claims of group 1.

Applicant has amended the TITLE to --FIBER OPTIC MODULES WITH PULL-ACTION DE-LATCHING MECHANISMS--.

VERSION WITH MARKINGS TO SHOW CHANGES MADE TO TITLE

The TITLE was amended as follows:

"FIBER OPTIC MODULES WITH PULL-ACTION DE-LATCHING MECHANISMS
FOR FIBER OPTIC MODULES".

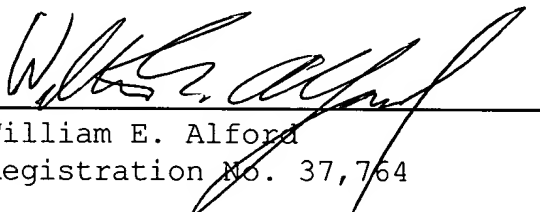
CONCLUSION

A first examination as to the merits of the pending claims is respectfully requested. Allowance of the claims at an early date is solicited.

The Examiner is invited to contact Applicant's undersigned counsel by telephone at (714) 557-3800 to expedite the prosecution of this case should there be any unresolved matters remaining. To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 02-2666 and please credit any excess fees to such deposit account.

Respectfully submitted
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Dated: April 1, 2003



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Susan McFarlane
Date 4/1/03